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No. _____

In The Supreme Court of the United States

ALLEN V. JAFFE,

Petitioner,

v.

LISA GOODWIN, ATTORNEY; JOHN R. WALK, ATTORNEY; HIRSHLER, FLEISHER, WEINBERG, COX AND ALLEN, P.C.; DR. RONALD MARK LANDESS, DPM; CATHERINE HAMMOND, JUDGE; AND VIRGINIA PHOTOTHERAPY, L.L.C.,

Respondents.

On Petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit

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SUPPLEMENTAL APPENDIX

Allen V. Jaffe
pro se
3211 Fox Chase Drive
Midlothian, Virginia 23112
Phone: (804) 744-8381
Fax: (804) 744-8381

LANTAGNE LEGAL PRINTING
801 East Main Street Suite 100 Richmond, Virginia 23219 (800) 847-0477

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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

ALLEN V. JAFFE,

Plaintiff,

v. CA No. 3:03cv799

LISA SPICKLER GOODWIN;

JOHN R. WALK; HIRSCHLER

FLEISHER; VIRGINIA

PHOTOTHERAPY, L.L.C.;

DR. RONALD MARK LANDESS;

And JUDGE CATHERINE HAMMOND

Defendants,

ORDER

Having reviewed the Complaint and the Amended Complaint herein, and the Motions to Dismiss the Amended Complaint filed by all defendants, and having reviewed the plaintiff's Motion to Present ALL Arguments On Motions And Special Pleas In Writing, and the responses thereto, and

it appearing from the record that all claims asserted in this action are inextricably intertwined with the cases decided by the Circuit Court of Henrico County, review of which was denied by the Supreme Court of Virginia, it is hereby ORDERED that the Motion to Dismiss this action is granted because the court lacks subject matter jurisdiction herein under the Rooker-Feldman doctrine. District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 482 (1983); Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923); Hurdle v. Commonwealth of Virginia Department of Environmental Quality, 227 F. Supp. 2d 549, (E.D. Va. 2002). The action is DISMISSED without prejudice to any appeal currently pending in the state court system or from the decision of the Supreme Court of Virginia.

In view of the decision to grant the Motions to Dismiss this action, it is hereby ORDERED that the plaintiff's Motion To Present All Arguments On Motions And Specific Pleas In Writing is denied as moot.

It is further ORDERED that the facts and legal contentions are adequately presented in the materials before the Court and oral argument would not aid the decisional process.

The Initial Pretrial Conference set for January 22, 2004 is cancelled as no longer necessary.

This Order may be appealed by the plaintiff. Any appeal from this decision must be taken by filing a written notice of appeal with the Clerk of the Court within (30) days of the date of entry hereof. Failure to file a timely notice of appeal may result in the loss of the right to appeal.

Nothing herein shall foreclose further prosecution of the pending motions under Fed. R. Civ. P. 11 as to which the requisite safe harbor letters previously have been issued to the plaintiff by the defendants. Therefore, the Court shall retain jurisdiction for the purpose of adjudicating such motions.

The Clerk is directed to send a copy of this Order to the plaintiff and to counsel for the defendants.

It is so ORDERED.

_____

UNITED STATES DISTRICT JUDGE

Richmond, Virginia

Date:_____